

1 BILL NO. S-87-05-41

2 SPECIAL ORDINANCE NO. S-147-87

3 AN ORDINANCE approving the Contract
4 for Res. 906-86, Bass Road Sanitary
5 Sewer Extension, between All Star
6 Construction & Excavating, Inc.
and the City of Fort Wayne, Indiana,
in connection with the Board of
Public Works and Safety.

7 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL
8 OF THE CITY OF FORT WAYNE, INDIANA:

9 SECTION 1. That the Contract for Res. 906-86, Bass
10 Road Sanitary Sewer Extension, by and between All Star Construction
11 and Excavating, Inc., and the City of Fort Wayne, Indiana, in
12 connection with the Board of Public Works and Safety, for:

13 this Contract includes the furnish-
14 ing of all labor, materials, and
15 equipment for the construction
16 of "Bass Road Sanitary Sewer Ex-
17 tension" as follows: Bounded on
18 the North and East by Leesburg
19 Road on the South by the S. right-
20 of-way line of Bass Road and on
21 the W. by the Corporate limit line
22 of the City of Fort Wayne. Sanitary
23 Sewers: The construction of a
24 main sewer which from its size
25 and character is not only intended
26 and adapted for use by property
holders, whose property abuts the
line of said sewer but is also
intended and adapted for receiving
sewage from collateral drains already
constructed or which hereafter
may be constructed, be and the
same is hereby ordered in and along
the following described sewer line:
Main Sewer: Beginning at an exist-
ing sewer manhole located at the
NE portion of the intersection
of Leesburg and Bass Rds.: thence
W. a distance of 1,225 +L.F. Sewers
shall be 10" in diameter;

27
28 the Contract price is Fifty-Seven Thousand One Hundred Sixty-Six
29 and 90/100 Dollars (\$57,166.90), all as more particularly set
30 forth in said Contract, which is on file in the Office of the
31 Board of Public Works and Safety and, is by reference incorporated
32 herein, made a part hereof, and is hereby in all things ratified,

1 Page Two

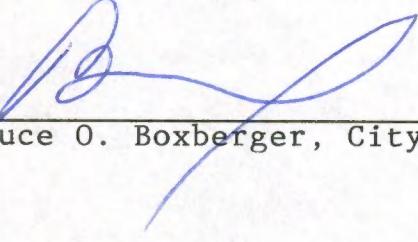
2 confirmed and approved. Two (2) copies of said Contract are
3 on file with the Office of the City Clerk and made available
4 for public inspection, according to law.

5 SECTION 2. That this Ordinance shall be in full force
6 and effect from and after its passage and any and all necessary
7 approval by the Mayor.

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10 APPROVED AS TO FORM
11 AND LEGALITY

12 
13 Bruce O. Boxberger, City Attorney

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Marion S. Reed

Councilmember

Read the first time in full and on motion by Dodd
seconded by Gastek, and duly adopted, read the second time
by title and referred to the Committee City Utilities (and the Ci
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne
Indiana, on _____, the _____ day of _____
19_____, at _____ o'clock M., E.

DATE: 5-26-87

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Pede
seconded by Gastek, and duly adopted, placed on its
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	—	—	<u>1</u>	—
<u>BRADBURY</u>	—	—	—	<u>✓</u>	—
<u>BURNS</u>	<u>✓</u>	—	—	—	—
<u>EISBART</u>	<u>✓</u>	—	—	—	—
<u>GiaQUINTA</u>	<u>✓</u>	—	—	—	—
<u>HENRY</u>	<u>✓</u>	—	—	—	—
<u>REDD</u>	<u>✓</u>	—	—	—	—
<u>SCHMIDT</u>	<u>✓</u>	—	—	—	—
<u>STIER</u>	<u>✓</u>	—	—	—	—
<u>TALARICO</u>	<u>✓</u>	—	—	—	—

DATE: 6-9-87

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. S-147-87
on the 9th day of June, 1987.

ATTEST:

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

(SEAL)

Mark E. GiaQuinta
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,
on the 10th day of June, 1987,
at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 16th day of June,
1987, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

**BOARD OF PUBLIC WORKS and SAFETY
INVITATION FOR BIDS/AWARD OF CONTRACT***
(Non-Federally Assisted Construction)

PROJECT: Bass Road Sanitary Sewer Extension
Resolution 906-86

Contract No. _____

Resolution No. _____

Check if Contained

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PAGES

X	1	Cover Sheet
X	A/1 - A	Advertisement for Bids
X	I/1 - I/	Instructions to Bidders
X	S/1 - S/2	Schedule
X	SI/1	Schedule of Items
	S/	Notes 1 and 2
X	NCA/1	Non-Collusion Affidavit
X	BB/1	Bidder's Bond
X	FS/1	Certificate in Lieu of Financial Statement Form 96A
X	PB/1-PB/2	Specimen Form- Payment Bond
X	PGB/1-3	Specimen Form-Perfor. & Guaranty Bond
X	GP/1-GP/7	General Provisions
X	WS/1	Prevailing Wage Rates-State of Indiana
X	SP/1-SP/6	Special Project Specifications

ATTACHMENTS

X		Project Plans Drawing # SY-
X		General Specifications and Conditions
		Detail Standard Construction Standards
		WPCE Department, City of Fort Wayne
	EA/1-EA/4	Escrow Agreement
	RW/1	Right-of-Way Cut Permit
X	NP/1	Notice to Proceed
X		Change Order - Specimen Form

DISCOUNT for
PROMPT PAYMENT
(See Gen. Prov.)

10 CALENDAR DAYS

— Z —

20 CALENDAR DAYS

— Z —

30 CALENDAR DAYS

— Z —

OTHER

— Z —

ACKNOWLEDGEMENT of
AMENDMENTS

Amendment No. 1

Date

Amendment No. ?

Date

BID SUBMITTED

ALL STAR CONSTRUCTION & EXCAVATING INC.

Contractor

By: *Edward F. Foss*

Its EDWARD F. FOSS PRESIDENT

Offer

Date 5/13/87

Bidder agrees to keep bid open for acceptance for (90 days unless otherwise specified)

Compliance *Don Barron*
O.C.2/85

ACCEPTANCE OF BID/AWARD OF CONTRACT

CITY OF FORT WAYNE

Board of Public Works & Safety

Joseph R. Finan
J.D. Conner

CITY OF FORT WAYNE

Win Moses, Jr., Mayor

AWARD *A-S-A-D7*

Minority Business Enterprise (MBE) is a business of which at least 51% is owned and controlled by minority group members. ("Minority" means Black, Hispanic, American Indian, Asian, Pacific Islander, and Alaskan Native). The minority owners must exercise actual day-to-day management, as well as actively participate in management and policy decisions affecting the business. The contribution of capital, equipment or expertise made by the minority owners must be real, substantiated and documented.

Women Business Enterprise (WBE) is a business of which at least 51% is owned and controlled by women. The women owners must exercise actual day-to-day management, as well as actively participate in management and policy decisions affecting the business. The contribution of capital, equipment or expertise made by the women owners must be real, substantiated and documented.

The contract for which this proposal/bid is prepared is governed by the MBE/WBE Ordinance. This form must be completed in order to be responsive to this IFB/RFP. If the participation goal of 7% for MBE and 2% for WBE are not met or exceeded in your bid or proposal, the reasons for this failure and reasonableness and good faith of efforts to meet this goal shall be evaluated in determining whether the bidder/offeror is responsible.

A list of possible MBE/WBE contractors/suppliers are on file in the Compliance Office, Room 800, city-County Building, for Contractor review.

THE FOLLOWING IS THE UNDERSIGNED'S COMMITMENT TO THE MBE/WBE GOALS OF THE CITY FOR WORK DONE PURSUANT TO THIS CONTRACT:

A. _____ The undersigned firm certifies that it is an MBE/WBE Contractor (cross out inapplicable provision).

For MBE specify percentage of minority ownership

%.

For WBE specify percentage of women ownership

%.

B. _____ The undersigned certifies that they are a joint venture in which the following (MBE/WBE) firm (cross out inapplicable provision) is a joint venture partner.

The MBE/WBE firm (cross out inapplicable provision) shall have _____ & participation (employees) _____ & participation (costs) in this project.

Specify the percentage of minority/women ownership in the MBE/WBE firm 7%. (cross out inapplicable provision)

- C. The undersigned commits 7% of the total bid price as a subcontract to minority business enterprise participation. The MBE firms which are proposed as subcontractors are the following:

<u>Name of Firm</u>	<u>Address</u>	<u>Type of Work</u>
1. Ardmore Asphalt	Fort Wayne	Asphalt
2. West Acres	Fort Wayne	Landscape
3.		

- D. The undersigned commits 2% of the total bid price as a subcontract to women business enterprise participation. The WBE firms which are proposed as subcontractors are the following:

<u>Name of Firm</u>	<u>Address</u>	<u>Type of Work</u>
1. Bazzard Bros. Trucking	Zanesville Trucking	
2.		
3.		

- E. Complete (1) and (2) below if participation goals of 7% MBE and 2% WBE have not been met.

1. My Company cannot meet the participation goals for the following reasons:

2. We have taken the following steps in an attempt to comply with these participation goals:

(attach additional sheets as necessary)

ALL STAR CONSTRUCTION & EXCAVATING INC.
Contractor _____

By Edward F. Foss

Its EDWARD F. FOSS PRESIDENT

Contractor _____

By _____

Its _____

14. Minority/Female Hourly Employment Requirements.
The City's policy is to encourage a greater utilization of minority and/or female employees in City construction projects. The Board has, therefore, adopted a minimum goal of 17% of the total work hours on each project to be expended by minority and/or female employees. ("Minority" shall include: Blacks, Hispanic, Asian, Pacific Islander, American Indian or Alaskan Native.)

The bidder shall state in "A" below the percentage of total work hours which the bidder and his subcontractors will employ and utilize women and minority employees on this project. If a contract is awarded as a result of this bid, the percentage figure set forth in "A" shall become contractually binding on the bidder. The successful bidder will also be required to prepare reports for the City demonstrating compliance with this percentage and will allow city officials access to his records, facilities and work site and to those of his subcontractors to determine compliance.

The bidder must fill in the required blanks in this clause in order to be responsive to this IFB. If the bidder does not meet or exceed the hourly utilization goal of 17% minority/female participation, the reasons for this failure and reasonableness and good faith of efforts to meet this goal shall be evaluated to determine whether the bidder is responsible.

THE FOLLOWING IS THE UNDERSIGNED'S COMMITMENT TO MINORITY/FEMALE HOURLY UTILIZATION.

A. The undersigned firm certifies that it will employ and utilize minorities and females and/or will ensure that its subcontractors employ and utilize minorities and females so that minorities and females will work at least 17% of the total hours worked on this project.

B. Complete (1) and (2) below if the hourly utilization figure set forth in "A" is less than 17%.

1. My Company and its subcontractors cannot meet the 17% minimum hourly utilization figure for the following reasons:

2. My Company has taken the following steps in an attempt to comply with the 17 $\frac{1}{2}$ hourly utilization figure:

(attach additional sheets if necessary)

Contractor ALL STAR CONSTRUCTION & EXCAVATING INC.

By Edward F. Foss

Its EDWARD F. FOSS PRESIDENT

15. Required Prevailing Wage Schedule Payments - Pursuant to Indiana Code 5-16-7-1. All contractors and subcontractors working on the project awarded pursuant to this contract shall pay the prevailing wage rates for skilled, semi-skilled and unskilled laborers, workmen and mechanics. This wage determination has been made in accordance with the procedures set forth in Indiana Code 5-16-7-1. This determination and the required wage rates are available for examination by any prospective bidder at The Board of Public Works and Safety, 9th Floor, City-County Building, Fort Wayne, Indiana.

If a bidder is awarded a contract as a result of this Invitation for Bids, he/she/it shall file a schedule of wages, on forms provided by the City of Fort Wayne, demonstrating compliance with the wage rate determination. The successful prime contractor shall be responsible for obtaining schedules from all subcontractors. All schedules shall be filed before the contractor commences any work on the project.

Penalties for failure to pay the prevailing wage rate are set forth in Indiana Code 5-16-7-3.

16. Site Orientation. A site orientation ~~will~~ will not be conducted by the City Engineers. If such an orientation is conducted, it will be held on the _____ day of _____, 19____, commencing at ____ o'clock ___.M. at the site of the project.

Regardless of whether a site orientation is conducted or not, bidders are required to visit the site of the work, and inform themselves fully of the conditions, under which the work will be performed. The bidders shall be responsible for all conditions that affect the work, including, but not limited to all sub-surface conditions.

SCHEDULE
Board of Public Works & Safety

The Contractor agrees to furnish at his/her/its own cost all labor, insurance, materials, equipment and power for the complete performance of the following project:

Bass Road Sanitary Sewer Extension
Resolution 906-86

All work will be performed in accordance with: Resolution #906-86, the IFB, this contract and the applicable plans, specifications and drawings for a TOTAL PRICE OF \$ 57,166.90. (If unit prices are applicable, the contractor agrees to perform for those unit prices as set forth in the Schedule of Unit Prices attached hereto.)

The work shall be commenced within ten (10) days after the Board issues a written "Notice to Proceed". All work shall be completed within 90 days after issuance of the Notice to Proceed. Those days which the contractor cannot work because of severely inclement weather shall not be counted.

Liquidated Damages Provision. (This clause shall be applicable to this contract only if the box contains a checkmark or an "X",) It is hereby agreed by and between the City of Fort Wayne and Contractor that time is of the essence of this agreement and the contractor agrees that it will complete the project as herein defined on or before N/A days after issuance of the Notice to Proceed. The parties agree that it is a business and governmental necessity that the project be completed by this date, that it will be difficult or impossible to make an accurate determination of the damages that would be incurred by the City of Fort Wayne, and therefore, provide for liquidated damages in the sum of \$ N/A per day for each and everyday after N/A days after issuance of the Notice to Proceed that the project remains uncompleted. The parties agree that the sum of \$ N/A per day is a reasonable estimate as to the damages which would be incurred by the City of Fort Wayne. The parties further agree that causes beyond the control of the contractor may delay the completion date. Therefore, the parties agree that delays in the completion day beyond the control of the contractor shall not result in liquidated damages.

Delays beyond the control of the contractor can include but are not necessarily limited to, the following: Acts of God, strikes, lockouts or industrial disturbances, acts of public enemies, restraining orders of any kind by the government of the United States of America or of the State of Indiana or any of their departments, agencies, or officials, or any civil or military authority, insurrections, riots, landslides, earthquakes, fires, incapacitating storms, floods, and explosions.

IN WITNESS WHEREOF, the bidder(s) (a firm) by its Owner(s) named below, hereunto set their hand(s) and seal(s) this _____ day of _____, 198____.

Firm Name: _____

By: _____

IN TESTIMONY WHEREOF, the bidder(s) (a corporation) has caused this proposal to be signed by its President and Secretary and affixed its corporate seal this 13 day of May, 1987.



ALL STAR CONSTRUCTION & EXCAVATING INC.

Name of Corporation

By: Edward F. Foss
President

EDWARD F. FOSS

ATTEST:

Cynthia S. Shearer

CYNTHIA S. SHEARER

Schedule of Items

PROJECT NAME: Bass Road Sanitary Sewer Extension - Resolution 906-86

DATE Feb. 4, 1987

SUMMATION OF AA/EEO STATEMENT

I will be (circle one)

TOTAL BID

57,166 | 90



Participating Member of CFW Area Plan

Union Contractor

3. Federal Register

4. Percentage Participation Goal Statement

12 %

NON-COLLUSION AFFIDAVIT

The Bidder, by its Officers and _____

ALL STAR CONSTRUCTION & EXCAVATING INC.

agents or representatives present at the time of filing this bid, being duly sworn on their oaths, say that neither they nor any of them have in any way, directly or indirectly, entered into any arrangement or agreement with any other bidder, or with any public officer of such City of Fort Wayne, Indiana, whereby such affiant or affiants or either of them, has paid or is to pay to such other bidder or public officer any sum of money, or has given or is to give such bidder or public officer anything of value whatever or such affiant or affiants or either of them has not directly or indirectly, entered into any arrangement or agreement with any other bidder or bidders, which tends to or does lessen or destroy free competition in the letting of the contract sought for by the attached bids, that no inducement of any form or character other than that which appears upon the face of the bid will be suggested, offered, paid or delivered to any person whomsoever to influence the acceptance of the said bid or awarding of the contract, nor has this bidder any agreement or understanding of any kind whatsoever, with any person whomsoever to pay, deliver to, or share with any other person in any way or manner, any of the proceeds of the contract sought by this bid.

ALL STAR CONSTRUCTION & EXCAVATING INC.

EDWARD F. FOSS PRESIDENT

Subscribed and sworn to before me by _____
this 13 day of May, 1987.

My Commission Expires:

March 7, 1988

Edward F. Foss

Notary Public Sherri L. Recht
Resident of Steuben County

Subscribed and sworn to before me by _____
this day of , 19 .

My Commission Expires:

Notary Public
Resident of _____ County

Subscribed and sworn to before me by _____
this day of , 19 .

My Commission Expires:

Notary Public
Resident of _____ County

CERTIFICATE IN LIEU OF FINANCIAL STATEMENT

I, EDWARD F. FOSS

, the PRESIDENT

Position

, of ALL STAR CONSTRUCTION & EXCAVATING INC.
Company

hereby certify:

1. That the Financial Statement of said company, dated the 22 day of November 1986, now on file in the office of the Board of Public Works & Safety is by reference incorporated herein and made a part hereof, is a true and correct statement and accurately reflects the financial condition of said company as of the date hereof:
2. That I am familiar with the books of said Company showing its (financial) condition and am authorized to make this certificate on its behalf.

Dated: 5/13/87

Edward F. Foss

Signature

EDWARD F. FOSS PRESIDENT

Title

Subscribed and sworn to before me, a Notary Public, in and for said County and State this 13 day of May, 1987.

Sherri L. Recht

Notary Public Sherri L. Recht

Resident of Steuben County

My Commission Expires:

March 7, 1988

CERTIFICATION OF BIDDER/VENDOR

The undersigned, on behalf of ALL STAR CONSTRUCTION & EXCAVATING INC., does hereby make the following representations to the City of Fort Wayne, Indiana.

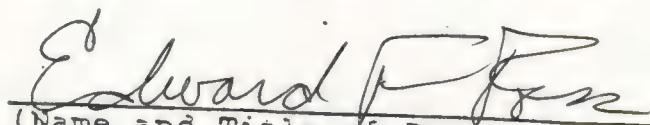
WHEREAS, it is acknowledged that the Common Council of the City of Fort Wayne, Indiana, has passed an ordinance condemning the apartheid policies of the country of South Africa;

WHEREAS, Council's ordinance requires that all persons, firms or corporations submitting bids to the City, for goods and services, certify, as part of the bid, that such entity does not support the policies of apartheid in South Africa.

The undersigned states, on behalf of ALL STAR CONSTRUCTION & EXCAVATING INC., that ALL STAR CONSTRUCTION & EXCAVATING INC. does not support or endorse the policy of apartheid in South Africa.

IN WITNESS WHEREOF, this Certification has been signed this 13 day of MAY, 1987.

ALL STAR CONSTRUCTION & EXCAVATING INC.
(Name of Bidder/Vendor)


Edward F. Foss
(Name and Title of Person Signing)
EDWARD F. FOSS PRESIDENT



BID BOND

Approved by The American Institute of Architects,
A.I.A. Document No. A-310 (Feb. 1970 Edition)

KNOW ALL MEN BY THESE PRESENTS,

That we ALL STAR CONSTRUCTION & EXCAVATING, INC.

as Principal, hereinafter called the Principal,

and THE CONTINENTAL INSURANCE COMPANY

, of New York

a corporation duly organized under the laws of the State of New Hampshire, as Surety, hereinafter called the Surety, are held
and firmly bound unto City of Fort Wayne, Board of Public Works and Safety

in the sum of Five Per Cent (5%) of Maximum Bid, as Obligee, hereinafter called the Obligee,

(\$ -----), for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for Res. 906-86; Sanitary Sewer Extension

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or contract documents with good and sufficient surety for the faithful performance of such contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 13th day of May

A. D. 19 87

ALL STAR CONSTRUCTION & EXCAVATING, INC. (Seal)

{ BY: Edward F. Foss (Principal)
(Title)

YASTE, ZENT & RYE AGENCY, INC.

THE CONTINENTAL INSURANCE COMPANY (Seal)

Carol J. Glenden
(Witness)

Edward B. Bluhm, Attorney-in-Fact (Surety)
(Title)

The Continental Insurance Company

180 Maiden Lane, New York, New York 10038

GENERAL POWER OF ATTORNEY

Know all men by these Presents, That THE CONTINENTAL INSURANCE COMPANY has made, constituted and appointed, and by these presents does make, constitute and appoint

Donald T. Belbutowski of Fort Wayne, Indiana
its true and lawful attorney, for it and in its name, place, and stead to execute on behalf of the said Company, as surety, bonds, undertakings and contracts of suretyship to be given to

All Obligees

provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed in amount the sum of

Five Million (\$5,000,000) Dollars.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company on the 1st day of November, 1977:

"RESOLVED, that the Chairman of the Board, the Vice Chairman of the Board, the President, an Executive Vice President or a Senior Vice President or a Vice President of the Company, be, and that each or any of them is, authorized to execute Powers of Attorney qualifying the attorney named in the given Power of Attorney to execute in behalf of the Company, bonds, undertakings and all contracts of suretyship; and that an Assistant Vice President, a Secretary or an Assistant Secretary be, and that each or any of them hereby is, authorized to attest the execution of any such Power of Attorney, and to attach thereto the seal of the Company.

FURTHER RESOLVED, that the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached."

In Witness Whereof, THE CONTINENTAL INSURANCE COMPANY has caused its official seal to be hereunto affixed, and these presents to be signed by one of its Vice Presidents and attested by one of its Assistant Vice Presidents this 4th day of June, 1984.

Attest:

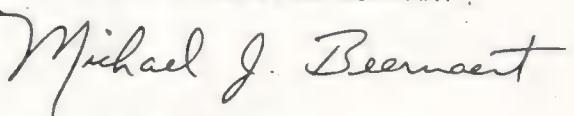


T.H. Stephens, Assistant Vice President



THE CONTINENTAL INSURANCE COMPANY

By



Michael J. Beernaert, Vice-President

STATE OF NEW JERSEY

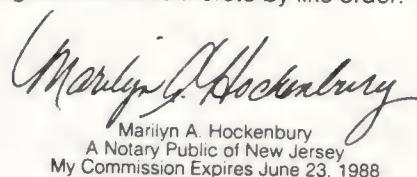
COUNTY OF MIDDLESEX

{
ss.:

On this 4th day of June, 1984, before me personally came Michael J. Beernaert, to me known, who being by me duly sworn, did depose and say that he is a Vice President of THE CONTINENTAL INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he knows the seal of the said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.



CERTIFICATE



Marilyn A. Hockenbury
A Notary Public of New Jersey
My Commission Expires June 23, 1988

I, the undersigned, an Assistant Vice President of THE CONTINENTAL INSURANCE COMPANY, a New Hampshire corporation, DO HEREBY CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore that the Resolution of the Board of Directors, set forth in the said Power of Attorney, is now in force.

Signed and sealed at Piscataway, in the State of New Jersey. Dated the 13th day of May , 19 87.



James M. Keane
Assistant Vice President

"BASS ROAD SANITARY SEWER EXTENSION"
Resolution 906-1987

RESOLVED by the Board of Public Works & Safety that it is deemed necessary to improve the Bass Road area by the construction of sanitary sewers, in the following described area:

Bounded on the North and East by Leesburg Road on the South by the South right-of-way line of Bass Road and on the West by the Corporate limit line of the City of Fort Wayne.

Sanitary Sewers

The construction of a main sewer which from its size and character is not only intended and adapted for use by property holders, whose property abuts the line of said sewer, but is also intended and adapted for receiving sewage from collateral drains already constructed or which hereafter may be constructed, be and the same is hereby ordered in and along the following described sewer line:

Main Sewer

Beginning at an existing sewer manhole located at the Northeast portion of the intersection of Leesburg and Bass Roads; thence West a distance of 1,235± LF terminating at a proposed sewer manhole.

Said sanitary sewer shall be 10 inches in diameter.

And, said improvements with all appurtenances shall be constructed in accordance with the plans, profiles and specifications now on file in the Department of Public Works & Safety of said City.

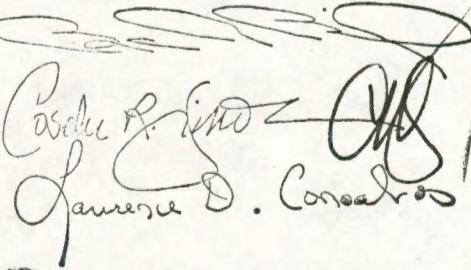
The property holders share of said improvement shall be apportioned against and paid by the said property holders benefited by said improvements all according to the method and manner provided for in the Acts of the General Assembly of the State of Indiana, effective 1 September 1981 and the provisions of all acts amendatory thereto and supplemental thereof.

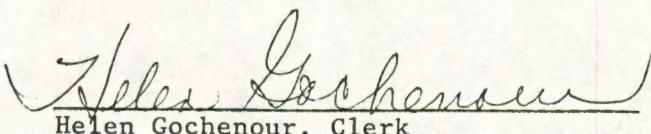
Assessments, if deferred, are to be paid in ten equal installments with interest at the rate of nine (9%) percent per annum as set by the Board of Public Works & Safety and shall be financed under Barrett Law Revolving Funds as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessments of property collection of assessments and issuance of bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

ADOPTED this 18th day of March 1987.

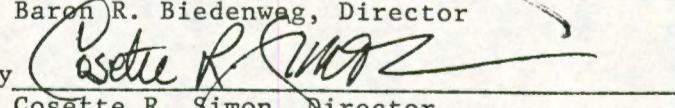
APPROVED
Board of Public Works & Safety

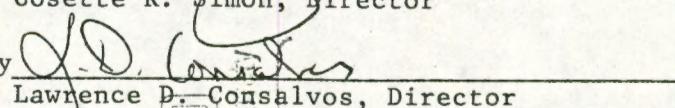

Helen Gochenour
ATTEST:


Helen Gochenour
Helen Gochenour, Clerk

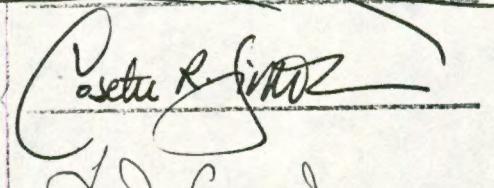
Board of Public Works & Safety

By 
Baron R. Biedenweg, Director

By 
Cosette R. Simon, Director

By 
Lawrence D. Consalvos, Director

APPROVED
Board of Public Works & Safety


Cosette R. Simon
J.D. Consalvos
Board of Public Works & Safety

BID TAB

DATE: May 14, 1987

BIDDER:

PROJECT: BASS ROAD SANITARY SEWER EXTENSION

RES. NO: 906-Bb

ALL STAR CONSTRUCTION

BERCUT, INC.

LAND, INC.

ITEM NO. 4	ITEM	QUANTITY	UNIT	UNIT COST	AMOUNT	UNIT COST	AMOUNT	UNIT COST	AMOUNT	UNIT COST	AMOUNT
		(#)	(#)	(#)	(#)	(#)	(#)	(#)	(#)	(#)	(#)
1	10" INCH SEWER PIPE IN CLASS "B" BEDDING	1225	LF	18.00	22050.00	24.02	29424.50	22.50	27562.50	31.90	39077.50
2	14" INCH DIAMETER MANHOLES	4	EA	1500.00	6000.00	1298.75	5195.00	1850.00	7400.00	2000.00	8000.00
3	6" INCH SEWER TAPS	9	EA	150.00	1350.00	145.60	1305.00	200.00	1800.00	200.00	1800.00
4	6" INCH SEWER TAP LATERALS	199	LF	12.00	2380.00	15.00	2850.00	12.00	2880.00	16.00	3040.00
5	SPECIAL BACKFILL	1400	CY	17.00	23800.00	5.04	7056.00	10.00	14000.00	9.00	12600.00
6	16" CRUSHED STONE FOR BERMS AND DRIVES	720	SY	8.00	5760.00	1.87	1346.40	3.50	2520.00	3.50	2520.00
7	ASPHALT PAVEMENT REPAIRS	125	SY	24.00	3000.00	30.00	3750.00	30.00	3750.00	40.00	5000.00
8	CHIP & SEAL PAVEMENT REPLACEMENT	2250	SY	8.00	18000.00	2.50	5625.00	3.00	6750.00	2.50	5625.00
9	SITE SODDING & MULCH	1230	SY	1.00	1230.00	0.50	615.00	1.00	1230.00	0.50	615.00
TOTAL:		\$83,470.00	TOTAL:		\$57,166.90	TOTAL:		\$67,292.50	TOTAL:		\$78,277.50
% over			% over			% over			% over		
% under			% under			% under			% under		

Admn. Appr.

TITLE OF ORDINANCE All Star Construction & Excavating, Contractor
Contract for Res. 906-86, Bass Road Sanitary Sewer

DEPARTMENT REQUESTING ORDINANCE Board of Public Works & Safety
Extension

SYNOPSIS OR ORDINANCE The Contract for Res. 906-86 includes the
furnishing all labor, materials, and equipment for the con-
struction of "Bass Road Sanitary Sewer Extension" as follows:

Bounded on the North and East by Leesburg Road on the South by
the S. right-of-way line of Bass Road and on the W. by the Cor-
porate limit line of the City of Fort Wayne. Sanitary Sewers: The
construction of a main sewer which from its size and character is
not only intended and adapted for use by property holders, whose
property abuts the line of said sewer but is also intended &
adapted for receiving sewage from collateral drains already con-
structed or which hereafter may be constructed, be & the same is
hereby ordered in and along the following described sewer line:

Main Sewer: Beginning at an existing sewer manhole located at
the NE portion of the intersection of Leesburg & Bass Rds.: thence
W. a distance of 1,225 + LF. Sewers shall be 10" in diameter
EFFECT OF PASSAGE Improved sewer conditions at above location

1.87-05-41

EFFECT OF NON-PASSAGE

\$

MONEY INVOLVED (DIRECT COSTS, EXPENDITURE, SAVINGS) \$57,166.90

ASSIGNED TO COMMITTEE

BILL NO. S-87-05-41

REPORT OF THE COMMITTEE ON CITY UTILITIES

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) approving the Contract
for Res. 906-86, Bass Road Sanitary Sewer Extension between All
Star Construction & Excavating, Inc., and the City of Fort Wayne,
Indiana, in connection with the Board of Public Works and Safety

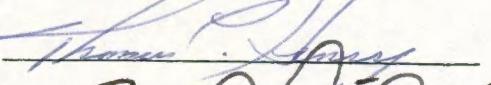
HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)
(~~RESOLUTION~~)

YES

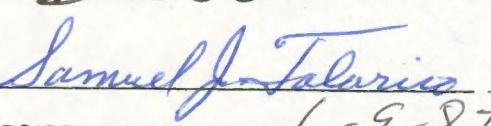
NO


CHARLES B. REDD
CHAIRMAN


PAUL M. BURNS
VICE CHAIRMAN


THOMAS C. HENRY


BEN A. EISBART


SAMUEL J. TALARICO

CONCURRED IN 6-9-87

SANDRA E. KENNEDY
CITY CLERK